

## Memorandum

To: ROBERT OGLESBY  
Executive Director

Date: February 17, 2012

Telephone: (916) 654-5013

From: **California Energy Commission** - Panama Bartholomy, Deputy Director  
1516 Ninth Street  
Sacramento CA 95814-5512  
Efficiency and Renewable Energy Division

Subject: **POSSIBLE APPROVAL OF THE CITY OF CHULA VISTA'S LOCALLY ADOPTED BUILDING ENERGY STANDARDS TO REQUIRE GREATER ENERGY EFFICIENCY THAN THE 2008 BUILDING ENERGY EFFICIENCY STANDARDS**

### Summary of Item

The California Public Resources Code establishes a process that allows cities or counties to adopt and enforce locally adopted energy standards that are more stringent than the statewide standards. This process, described in Section 25402.1(h)(2) and the *2008 Building Energy Efficiency Standards*, Title 24, Part 1, Section 10-106 (Standards), allow cities or counties to adopt new versions of the Standards before their statewide effective date (early adoption), require additional energy efficiency measures, or set more stringent energy budgets. The governing body of the city or county is required to make a determination that the standards are cost effective and adopt the findings at a public meeting. The city or county is required to file this determination of cost effectiveness with the California Energy Commission. The Energy Commission must find that the standards will require the diminution of energy consumption levels permitted by the current Standards. The proposed local ordinance cannot be enforced until it is approved by the Energy Commission.

On January 12, 2012, the City Council of the City of Chula Vista submitted an application for approval for their local energy standards (amending section 15.12.030 of the City Municipal Building Code) which will meet or exceed the *2008 Building Energy Efficiency Standards (Title 24, Part 6 of the California Building Standards)*. The ordinance requires that newly constructed residential buildings within climate zone 10 and the City limits of the City of Chula Vista must comply with the Tier II cool roof requirements found in subsection A4.106.5 of the 2010 California Green Building Code Standards (*Title 24, Part 11 of the California Building Code*).

The Energy Commission approved a prior ordinance on December 16, 2009, which requires newly constructed residential buildings within the City of Chula Vista to exceed the energy efficiency requirements of Title 24, Part 6 by 15 percent or more. This newly proposed ordinance does not seek to change that requirement for

residential buildings within climate zone 10 (inland climate with hot summers similar to San Bernardino/Riverside), only to make the voluntary options of Title 24, Part 11 Tier II cool roof provisions mandatory.

The City of Chula Vista has submitted the required cost effectiveness analysis within their application. The analysis considered newly constructed single and multi-family buildings within both climate zones 10 and 7(mild coastal San Diego climate), which both exist within the City of Chula Vista. The analysis showed that the Title 24, Part 11 Tier II cool roof provisions were not cost effective for homes within climate zone 7, which has far less cooling requirements than climate zone 10. Therefore, the City of Chula Vista restricted this ordinance to newly constructed residential buildings within climate zone 10 and the City of Chula Vista.

The City of Chula Vista has made a written commitment to enforce compliance with their Local Energy Standards and Title 24, Part 6. Energy Commission staff has found that the application meets all requirements under Public Resources Code Section 25402.1(h)(2) and Section 10-106 of Title 24, Part 1 and recommends it for approval.

The complete application including the full proposed ordinance and cost effectiveness analysis will be made available on the Energy Commission web site upon Energy Commission approval of the proposed ordinance.

#### Project Manager

Joseph M. Loyer, High Performance Buildings and Standards Development Office.

#### Summary of Staff Position

Energy Commission staff has found that the application meets all requirements under Public Resources Code Section 25402.1(h)(2) and Section 10-106 of Title 24, Part 1. Energy Commission staff believes that the City of Chula Vista is to be commended for seeking to achieve the energy savings that result from their local energy ordinance.

The City of Chula Vista has been informed that the approved ordinance will be enforceable while the *2008 Building Energy Efficiency Standards (Title 24, Part 6 of the California Building Code)* is enforced and upon implementation of new adopted State Standards, the City of Chula Vista will be required to resubmit an application for local energy standards under Public Resources Code Section 25402.1(h)(2) and Section 10-106 of Title 24, Part 1.

#### Oral Presentation Outline

Energy Commission staff will provide a brief summary and be available to answer questions if any arise.

Business Meeting Participants

Joseph M. Loyer, High Performance Buildings and Standards Development Office.

Commission Action Requested

Approval of the City of Chula Vista's locally adopted energy standards that result in more stringent energy requirements than the *2008 Building Energy Efficiency Standards*.

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Panama Bartholomy, Deputy Director  
Efficiency and Renewable Energy Division

